

PATENT  
ATTORNEY DOCKET NO. 50026/008001

Certificate of Mailing: Date of Deposit: October 22, 1998

I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231.

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Printed name of person mailing correspondence

*MS Silver*  
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshiyuki Nagai et al.                      Art Unit: 1646  
Serial No.: 09/132,521                                      Examiner:  
Filed: August 11, 1998  
Title: RECOMBINANT SENDAI VIRUS VECTOR EXPRESSING  
CHEMOKINE

BOX MISSING PARTS  
Assistant Commissioner of Patents  
Washington, D.C. 20231

REPLY TO NOTICE TO FILE MISSING PARTS

In reply to the Notice to File Missing Parts of Application mailed August 27, 1998  
(a copy of which is enclosed), Applicant as a small entity submits herewith the following:

- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63.
- ☒ Payment of the surcharge of \$65.00 for late filing of the declaration.
- ☒ A signed small entity statement.


If there are any charges, or any credits, please apply them to Deposit Account

No. 03-2095.

Respectfully submitted,

Date:

Oct. 22, 1998

  
\_\_\_\_\_  
Paul T. Clark  
Reg. No. 30,162

Clark & Elbing LLP  
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Boston, MA 02110  
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Ceserver documents 50026 50026.008001 Reply to Missing Parts. etc.wpd



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/102,521	08/11/98	NARAI	50026-000-001

PAUL T. CLARK  
CLARK & ELBING  
176 FEDERAL STREET  
BOSTON MA 02110

0292/0827

NOT ASSIGNED

DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 689.

☒ 1. The statutory basic filing fee is:

- ☐ missing.  
☒ insufficient.

Applicant must submit \$ 231 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 328, including any multiple dependent claim fees, are required.

\$ 328 for 4 independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☒ 9. OTHER: Verified Statement needed

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202